

**HYDE PARK CITY
PLANNING COMMISSION
August 17, 2016**

The Hyde Park City Planning Commission meeting began at 7:00 p.m. and was conducted by Chairman Mark Lynne.

MEMBERS PRESENT

Chairman Mark Lynne, David Zook, Reed Elder, Melinda Lee and Brandon Buck

Absent: Brandon Buck (sick), Cory Goettsche (vacation)

OTHERS PRESENT

Councilmember Sharidean Flint, Jordan & Katelyn Brandley, Debbie Hodson

PRAYER OR THOUGHT – Sharidean Flint

PLEDGE OF ALLEGIANCE – Reed Elder

APPROVAL OF MINUTES

Mark had one correction. Reed made a motion to approve the corrected minutes of the Planning Commission meeting held July 20, 2016. David seconded the motion. Mark Lynne, David Zook, Reed Elder and Melinda Lee voted in favor.

BUILDING PERMIT REPORT

Alan Gibbons	Front Entry Enclosure	272 West 375 North
Sierra Homes	Home	734 East 550 North
Jonathan Johnson	Roof	192 East 100 North
Dave & Brigitte Karlsven	Home	240 North Main
Sierra Homes	Home	497 North 725 East
Immaculate Construction	Home	719 East 200 South

CITY COUNCIL REPORT

Councilmember Sharidean Flint reported on the City Council meeting held August 10, 2016:

1. Held a Public Hearing regarding the property tax increase. Sharidean was pleased to report most residents were not really against the increase, they just wanted to know why. Council passed the increase.
2. Passed the Storm Water ordinance (following a rough audit).
3. Signed and passed a (long coming) agreement with the lower canal company.
4. Accepted Jay Jenks petition to annex property.
5. Discussed 50 East road in regards to the proposed North Logan City development at the south end. Attorneys from our two cities will meet. Mayor Cox said it is an executive, not City Council, decision. Mark Hurd felt Mayor Cox should speak to North Logan Mayor Berentzen about possibly “abandoning” the ends of 50 East from both sides.
6. Considered changing the PUD ordinance to allow more acres. Council felt it was an unnecessary additional burden to an area. They did not take action. Requested Planning Commission look at open space and bonus density options.

PUBLIC HEARING – ACCESSORY APARTMENT CONDITIONAL USE PERMIT (Administrative)

Mark opened the Public Hearing regarding Jordan Brandley's application for an Accessory Apartment Conditional Use Permit. The proposed location is 135 North 400 East, on 0.33 acres, in a residential zone (R-1). One neighbor, Debbie Hodson inquired about the Brandley's living in the home, or not. The Commission assured her that one of the requirements is the owner live in the home. The Public Hearing was closed.

Building Inspector Darrin Hancey inspected the site previously and required Jordan Brandley to install a sidewalk and improve egress. Jordan complied with both requirements. David made a motion to approve the Conditional Use Permit. Reed seconded the motion. Mark Lynne, David Zook, Reed Elder and Melinda Lee voted in favor.

REPLACE "SPECIAL" WITH "CONDITIONAL" USE PERMITS (Legislative)

In order to better conform to accepted terms, the Commission agreed to replace "Special Use Permits" with "Conditional Use Permits" in all parts of the city ordinance. Melinda will prepare a draft of the exact changes, with reasoning, to be voted on at the next meeting.

HOME DECKS SETBACK (Legislative)

Darrin Hancey, Building Inspector requested we review and possibly change the ordinance to allow attached home decks to encroach into the rear setback of 30 feet. Mark explained why the issue is before us. A new home being built desires the deck to encroach on the rear 30 foot setback. Ordinance 12.30.040 Additional Yard Regulations D. refers to not obscuring the sky. An uncovered deck would not. Section E. refers to a five foot exception. David disclosed his own deck encroaches into his rear setback, unaware this was a problem. Neither Mark nor Reed considers uncovered decks to be part of the 'building footprint', thus exempt from the rear setback regulation. Both feel our ordinance already allows decks in the rear setback area. Reed made it clear that applies so long as there are no supports to the home, as in a covering or roof on the deck. Reed said an uncovered deck is not an extension of the home. Mark suggested we possibly define 'home footprint' as excluding uncovered decks. All agreed Darrin is a great inspector and are happy he wants to comply with our city ordinance as written. Melinda will speak to Darrin again.

OPEN SPACE AND BONUS DENSITY (Legislative)

City Council requested Planning Commission change the code to remove the 'open space' option from developers, allowing only bonus density as an option to standard requirements. (See city code 13.30.030) Planning Commission agrees. The only reservation came from Councilman Charles Wheeler that the income from Bonus Density can only go toward parks and we are already "park heavy". The Commission felt we have plenty of flexibility in park related needs including purchasing land, improving trails and maintaining structures. If need be, the ordinance can be changed in future years to adjust how the income may be used. Mark questioned the change because it removes the incentive for open space but Reed assured him it is still financially worth it to do bonus density.

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Melinda will forward draft changes to Mark and Reed. Mark will work on this for our next meeting.

TRAINING

Mark showed part 2 of 3 Videos from luau.utah.gov regarding changes made in the 2016 Utah Legislative session that affect land use decisions.

Meeting adjourned at 8:10 p.m.

Melinda Lee, Secretary